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UNITED STATES DEPARTMENT OF COMMERCE  
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| SERIAL NUMBER | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. |
|---------------|-------------|----------------------|---------------------|
|---------------|-------------|----------------------|---------------------|

07/525,943 05/17/90 CHIU

C 1:358

EXAMINER

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|          |              |
|----------|--------------|
| ART UNIT | PAPER NUMBER |
|----------|--------------|

1302

DATE MAILED: 01/12/93

This is a communication from the examiner in charge of your application.  
COMMISSIONER OF PATENTS AND TRADEMARKS

This application has been examined

Responsive to communication filed on 10-19-92  This action is made final.

A shortened statutory period for response to this action is set to expire 0 month(s), 30 days from the date of this letter.  
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

**Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:**

|   |  |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited by Examiner, PTO-892.        | 2. <input type="checkbox"/> Notice re Patent Drawing, PTO-948.                   |
| 3. <input type="checkbox"/> Notice of Art Cited by Applicant, PTO-1449.             | 4. <input type="checkbox"/> Notice of Informal Patent Application, Form PTO-152. |
| 5. <input type="checkbox"/> Information on How to Effect Drawing Changes, PTO-1474. | 6. <input type="checkbox"/>  |

**Part II SUMMARY OF ACTION**

1.  Claims 29-42 are pending in the application.

Of the above, claims \_\_\_\_\_ are withdrawn from consideration.

2.  Claims \_\_\_\_\_ have been cancelled.

3.  Claims \_\_\_\_\_ are allowed.

4.  Claims \_\_\_\_\_ are rejected.

5.  Claims \_\_\_\_\_ are objected to.

6.  Claims 29-42 are subject to restriction or election requirement.

7.  This application has been filed with informal drawings under 37 C.F.R. 1.85 which are acceptable for examination purposes.

8.  Formal drawings are required in response to this Office action.

9.  The corrected or substitute drawings have been received on \_\_\_\_\_. Under 37 C.F.R. 1.84 these drawings are  acceptable.  not acceptable (see explanation or Notice re Patent Drawing, PTO-948).

10.  The proposed additional or substitute sheet(s) of drawings, filed on \_\_\_\_\_ has (have) been  approved by the examiner.  disapproved by the examiner (see explanation).

11.  The proposed drawing correction, filed on \_\_\_\_\_, has been  approved.  disapproved (see explanation).

12.  Acknowledgment is made of the claim for priority under U.S.C. 119. The certified copy has  been received  not been received  been filed in parent application, serial no. \_\_\_\_\_; filed on \_\_\_\_\_

13.  Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.

14.  Other \_\_\_\_\_

**EXAMINER'S ACTION**

Art Unit 1302

Restriction to one of the following inventions is required under 35 U.S.C. § 121:

I. Claims 29-35, drawn to edible formulations containing a specific member of a family of gums and method, classified in Class 426, subclass 548.

II. Claims 36-42, drawn to edible formulations containing ta MARIND seedgum "not produced by cellulase hydrolysis" and method, classified in Class 426, subclass 548.

The inventions are distinct, each from the other because of the following reasons:

The subject matter of the two separate groupings are mutually exclusive each from the other. The requirements of the separate groupings are not mandatory each to the other.

Because these inventions are distinct for the reasons given above and have acquired a separate status in the art because of their divergent subject matter restriction for examination purposes as indicated is proper.

Applicant is advised that the response to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed.

No claim is allowed.

Any inquiry concerning this communication should be directed

Serial No. 07/525,943

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Art Unit 1302

to Joseph Golian at telephone number (703) 308-3851.

Joseph Golian;nrd  
January 11, 1993

JOSEPH GOLIAN  
PRIMARY EXAMINER  
ART UNIT 132